

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

TRAVIS LANIER WILLIAMS,	:	
Plaintiff,	:	
v.	:	Case No. 3:19-cv-240
OHIO BUREAU OF MOTOR	:	JUDGE WALTER H. RICE
VEHICLES,	:	
Defendant.	:	

DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #3);
OVERRULING PLAINTIFF'S OBJECTIONS THERETO (DOC. #4);
DISMISSING COMPLAINT WITH PREJUDICE (DOC. #1); DENYING
CERTIFICATE OF APPEALABILITY AND LEAVE TO APPEAL *IN*
FORMA PAUPERIS; JUDGMENT TO ENTER IN FAVOR OF
DEFENDANT AND AGAINST PETITIONER; TERMINATION ENTRY

Based on the reasoning and citations of authority set forth by United States
Magistrate Judge Sharon L. Ovington in her Report and Recommendations, Doc.
#3, as well as upon a thorough *de novo* review of this Court's file and the
applicable law, the Court ADOPTS said judicial filing in its entirety.

Plaintiff's Objections to the Report and Recommendations, Doc. #4, are
OVERRULED as meritless. Magistrate Judge Ovington properly concluded that
Plaintiff has failed to state a plausible claim under 42 U.S.C. § 1983 for a violation
of his alleged Fifth Amendment right to "liberty upon the roads."

As the Magistrate Judge explained, it can be inferred from the allegations in the Complaint that Plaintiff does not currently possess a valid Ohio driver's license. He alleges that he does not need one to operate a vehicle that is not for hire. However, the Complaint contains no factual allegations to support a finding that Plaintiff is exempt from the driver's license requirement under any of the exceptions set forth in Ohio Revised Code § 4507.03. Under these circumstances, Defendant's classification of Plaintiff as a "non-driver" cannot be said to violate his constitutional rights.

The Court DISMISSES Plaintiff's Complaint, Doc. #1, WITH PREJUDICE.

Given that the Court's decision herein would not be debatable among reasonable jurists, and because any appeal from this Court's decision would be objectively frivolous, Plaintiff is denied a certificate of appealability, and is denied leave to appeal *in forma pauperis*.

Judgment will be entered in favor of Defendant and against Plaintiff.

The captioned case is terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

Date: July 7, 2020



(tp - per Judge Rice authorization after
his review)

WALTER H. RICE
UNITED STATES DISTRICT JUDGE